

RECEIVED
CENTRAL FAX CENTER

SEP 22 2006

Facsimile Transmission
Law Offices
DENNISON, SCHULTZ & MACDONALD
Suite 105
1727 King Street
Alexandria, VA 22314 USA
mail@dennisonlaw.com
FAX (703)837-0980 TEL (703)837-9600

DATE: September 22, 2006

RE: 10/069,950

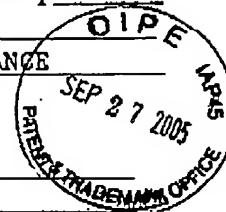
TO: Examiner G. Kishore

FROM: Ira J. Schultz

NUMBER OF PAGES: 6

Attached is a response filed on Sept. 27, 2005 which did not make its way to the file of this application.

Due Date October 6, 2005 Docket No. 02043/Deau/IS/cd
Applicant Sophie GAUBERT et al Mail Room XX Group
SN/PN 10/069.050 Other
Title COMPOSITION TO BE ADMINISTERED THROUGH MUCOUS MEMBRANCE



Declaration Assignment
Priority Document(s) (#)

IDS 1449 # of Docs: Request for Corrected Filing Receipt
Restriction Response XX OA Response
Preliminary Amendment Letter
Supplemental Amendment AAFR
Notice of Appeal Appeal Brief
Petition (type)
Request for month EOT Request for Certificate of Correction
Drawings - No. of Sheets Notice to File Missing Parts
RCE Transmittal Form Notice to File Missing Requirements
Fees \$ For
Check Deposit Account Credit Card Form PTO-2038
Other

DOCKETED

DENNISON, SCHULTZ, DOUGHERTY & MACDONALD (703) 837-9600

**RECEIVED
CENTRAL FAX CENTER**

SEP 22 2006

Dkt. 02043

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SOPHIE GAUBERT et al

Serial No.: 10/069,050

Filed: March 7, 2002

Group Art Unit: 1615

Examiner: G.S. Kishore

For: COMPOSITION TO BE ADMINISTERED THROUGH MUCOUS MEMBRANE

RESPONSE

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants' attorney is appreciative of the interview granted by Examiner Kishore to the undersigned and to inventor Rene Laversanne on August 29, 2005.

Claims 16-17, 21-29 and 31 have been rejected under 35 USC 102(b) as anticipated by De Haan et al. De Haan et al is alleged to teach intra-nasal administration of multilamellar vesicles containing influenza viral sub-units.

The claimed invention is directed to administration of multilamellar vesicles with an onion-like structure having an internal liquid crystal structure formed by a stack of concentric bilayers based on amphiphilic agents alternating with layers of water, an aqueous solution or a solution of polar liquid. As was discussed at the interview, De Haan discloses the use of conventional liposomes, whereas the claimed invention is directed to the use of multilamellar vesicles as disclosed in the Roux et al reference, US